

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

UNITED STATES OF AMERICA

Cr. A. No. 09-00160-01

VERSUS

JUDGE ROBERT G. JAMES

AMON RASHAD PEOPLES

MAG. JUDGE KAREN L. HAYES

ORDER

Pending before the Court is the Government's Motion to Correct Defendant's Judgment [Doc. No. 124]. Defendant Amon Rashad Peoples ("Peoples") was sentenced at a hearing held on December 6, 2010. After hearing testimony from the Government's witnesses, subject to cross-examination by Defendant, acting *pro se*, and after considering the evidence presented, the Court denied Defendant's objections to the Pre-Sentence Report in open court.

Additionally, the Court *sua sponte* raised and resolved certain other issues with the Pre-Sentence Report. One of those issues involved the calculation of actual losses. Based on the evidence presented, the Court accepted the Government's final calculation of actual losses as being \$93,966.79, and the amount owed jointly and severally with Peoples' Co-Defendants Tanyell Toliver and Shawna Batiste as being \$8,340.61. These amounts differed from the amounts stated in the Pre-Sentence Report; therefore, the Court amended the Pre-Sentence Report to conform with the evidence.

In its motion, the Government confirms that the total amount of restitution, including the amount owed jointly and severally with Toliver and Batiste, is correct. However, the Government

points to the three errors in the Judgment: (1) the amount of restitution payable to JP Morgan Chase should be corrected from \$2531.41 to \$4,837.88; (2) the amount of restitution payable to DFCU Financial Fraud Department (Dearborn, Michigan) should be corrected from \$172.45 to \$491.28; and (3) Digital Federal Credit Union Loss Prevention Department (Marlborough, Massachusetts) should be added to the list of payees with an amount of \$172.45 owed as restitution.

Because the total amount of restitution, including the amount owed jointly and severally, owed by Peoples does not change and these amendments merely correct “a sentence that resulted from arithmetical, technical, or other clear error,” the Court finds that an Amended Judgment should issue. FED. R. CRIM. P. 35(a). Accordingly,

IT IS ORDERED that the Government’s Motion to Correct Defendant’s Judgment [Doc. No. 124] is GRANTED. An Amended Judgment will issue separately.

MONROE, LOUISIANA, this 20th day of December, 2010.


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE